

AP4 REC'D/PC/PTD 13 JAN 2006

U. S. PATENT AND TRADEMARK OFFICE
U. S. DEPARTMENT OF COMMERCE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

21172YP

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/564706

INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE
PCT/US2004/021888 09 July 2004

PRIORITY DATE CLAIMED
15 July 2003

TITLE OF INVENTION

HYDROXYPYRIDINE CGRP RECEPTOR ANTAGONISTS

APPLICANT(S) FOR DO/EO/US

Ian M. Bell, Steven N. Gallicchio, C. Blair Zartman

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected (PCT Article 31).
5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
 - a. is attached hereto
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 to 20 below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A preliminary amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:

6/17/2006 10:00

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/564 706	INTERNATIONAL APPLICATION NO. PCT/US2004/021888	ATTORNEY'S DOCKET NUMBER 21172YP
The following fees are submitted:		CALCULATIONS
21. <input checked="" type="checkbox"/> Basic national fee.....		\$300
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). All other situations.....		\$0 \$200
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). Search fee [37 CFR 1.445(a)(2)] has been paid on the international application to the USPTO as an International Searching Authority..... International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB All other situations.....		\$0 \$100 \$400 \$500
		TOTAL OF 21, 22 and 23=
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		\$600.00
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
39 - 100 =	0 /50	0 = 0
X \$250.00		
\$0.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].		
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total Claims	24 - 20 =	4
Independent Claims	2 - 3 =	0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00
TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)		= \$800.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date [37 CFR 1.492(f)].		
TOTAL NATIONAL FEE		= \$800.00
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.		
TOTAL FEES ENCLOSED		= \$800.00
		Amount to be refunded:
		Amount to be charged:
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$800.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u> . A duplicate copy of this sheet is enclosed.		
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.		
SEND ALL CORRESPONDENCE TO:		
Customer No. 000210		
MERCK & CO., INC. Patent Department, RY60-30 P.O. Box 2000 126 East Lincoln Avenue Rahway, New Jersey 07065-0970		
 SIGNATURE David A. Rubin NAME 40,314 REGISTRATION NUMBER		
DATE: <u>January 13, 2006</u>		
PHONE #: <u>(732) 594-2675</u>		

IAP6 Rec'd PCT/PTO 13 JAN 2006

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Attorney Docket No.: 21172YP

International Appln No.: PCT/US2004/021888

International Filing Date: 09 July 2004

Priority Date: 15 July 2003

Title: HYDROXYPYRIDINE CGRP RECEPTOR
ANTAGONISTS

Inventors: Ian M. Bell
Steven N. Gallicchio
C. Blair Zartman

EXPRESS MAIL CERTIFICATE	
DATE OF DEPOSIT <u>01/13/2006</u>	
EXPRESS MAIL NO. <u>EV 660604861 US</u>	
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450.	
MAILED BY	<u>Christie Cuffe</u>
	DATE <u>01/13/2006</u>